

# 2019-2020 Bills Passed by the Senate Committee on Health & Welfare

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## *Act 4 (H.218): An act relating to lead poisoning prevention*

- Amends 2018 Acts and Resolves No. 149 by incorporating further amendments requested by the EPA prior to its approval of the Vermont Department of Health's proposal to house all regulatory authority over lead poisoning prevention practices within the State

*Act 5 (S.14): An act relating to extending  
the moratorium on home health agency  
certificates of need*

- Extends until January 1, 2025 the moratorium on granting certificates of need for new home health agencies or for the offering of home health services

*Act 15 (H.204): An act relating to miscellaneous provisions affecting navigators, Medicaid records, and the Department of Vermont Health Access*

- Eliminates duty of Vermont Health Benefit Exchange navigators to help employers to establish certain federally authorized tax-advantaged plans
- Makes clarifying changes regarding confidentiality of Medicaid applications and records
- Transfers from DVHA to GMCB responsibility for preparing report due November 15, 2021 on impact of chiropractic and physical therapy co-payment limits on utilization of those services

*Act 17 (S.53): An act relating to determining the proportion of health care spending allocated to primary care*

- Directs GMCB and DVHA to:
  - Identify which health care providers and services constitute primary care
  - Determine percentage of health care spending currently allocated to primary care by certain public and private payers and by Vermont's health care system overall
  - Report percentages and related information by January 15, 2020

*Act 22 (H.26): An act relating to restricting retail and Internet sales of electronic cigarettes, liquid nicotine, and tobacco paraphernalia in Vermont*

- Prohibits anyone from causing “tobacco substitutes” (e-cigarettes), substances containing nicotine or otherwise intended for use with e-cigarettes, or tobacco paraphernalia that is ordered or bought by mail, phone, or Internet to be shipped to anyone in Vermont other than a licensed wholesale dealer or retailer
- Prohibits anyone from selling e-cigarettes, substances containing nicotine or otherwise intended for use with e-cigarettes, or tobacco paraphernalia unless the person is a wholesaler or purchased the items from a wholesaler

# *Act 26 (H.528): An act relating to the Rural Health Services Task Force*

- Creates 14-member Rural Health Services Task Force to evaluate state of rural health care in Vermont and identify ways to sustain system and to ensure it provides access to affordable, high-quality health care services
  - Report due to the General Assembly by January 15, 2020
- Directs DMH to evaluate and determine mental health bed needs for residential programs across the State by geographic area and provider type
  - Report due to General Assembly by December 15, 2019
- Requires DMH, in collaboration with community service organizations, to initiate efforts to increase number of affordable housing opportunities for individuals with mental health needs by potential funding sources for supportive housing and maximizing the use of Section 8 vouchers
  - If funding is available to invest in affordable housing opportunities, expresses legislative intent that funds be used to create new options for affordable permanent housing around Vermont based on evidence-based supportive housing models

*Act 27 (S.86): An act relating to increasing the legal age for buying and using cigarettes, electronic cigarettes, and other tobacco products from 18 to 21 years of age*

- Increases legal age for possessing and purchasing cigarettes, “tobacco substitutes” (e-cigarettes), and other tobacco products from 18 to 21 years of age, effective September 1, 2019

## *Act 43 (S.43): An act relating to limiting prior authorization requirements for medication-assisted treatment*

- Prohibits health insurance plans from imposing prior authorization requirements for counseling and behavioral therapies associated with medication-assisted treatment and for prescription drugs for a patient receiving medication-assisted treatment if dosage prescribed is within FDA dosing recommendations
- Requires health insurance plans to ensure that at least one medication from each drug class approved by FDA for treatment of substance use disorder is available on lowest cost-sharing tier of plan's prescription drug formulary
- Requires DVHA to submit reports\* to General Assembly annually between 2020 and 2022 regarding prior authorization processes for medication-assisted treatment in Medicaid

\*2020 DVHA report available [here](#)

# *Act 47 (H.57): An act relating to preserving the right to abortion*

- Establishes as a fundamental right the right to choose or refuse contraception or sterilization and the right to carry a pregnancy to term, to give birth to a child, or to have an abortion
- Prohibits law enforcement from prosecuting an individual for inducing, performing, or attempting to induce or perform the person's own abortion
- Prohibits a governmental entity from:
  - denying or interfering with a fundamental right as established by the act
  - depriving a person of the choice to have an abortion
  - interfering with or restricting a person's choice to have an abortion
  - prohibiting a health care provider acting within the scope of the provider's license from performing an abortion
  - interfering with the choice of a health care provider acting within the scope of the provider's license to provide an abortion
- Establishes a private right of action in Superior Court for a person injured as a result of a violation of the act

## *Act 52 (S.7): An act relating to social service integration with Vermont's health care system*

- Requires AHS to submit a plan to the General Assembly related to coordinating the financing and delivery of Medicaid home-and community-based services with the all-payer financial target services
- Directs the GMCB to submit to the General Assembly a report that evaluates the manner and degree to which social services are integrated into the accountable care organization (ACO)
- Requires the Director of Trauma Prevention and Resilience Development to serve as a resource in ensuring that new models used by community social service providers are aligned with the State's goals for trauma-informed prevention and resilience

## *Act 53 (S.31): An act relating to informed health care financial decision making and the consent policy for the Vermont Health Information Exchange*

- Hospital and ambulatory surgical center patients must receive itemized, detailed, and understandable explanations of charges and information about financial assistance and billing and collections practices
- Requires GMCB to collect and review certain data from psychiatric hospitals, examine health care price transparency initiatives in other states, and recommend potential modifications to health care billing processes
  - GMCB [report](#) on transparency initiatives and billing processes due November 15, 2019
- As of March 1, 2020, patients' electronic health information in Vermont Health Information Exchange will be accessible to health care facilities, health care professionals, and public and private payers unless patient affirmatively opts not to have information shared in that manner
  - DVHA must administer stakeholder process to develop implementation strategy for opt-out consent policy and provide updates to General Assembly and GMCB by [Aug. 1, 2019](#) and [Nov. 1, 2019](#), with final report due by [Jan. 15, 2020](#)

## *Act 55 (S.73): An act relating to licensure of ambulatory surgical centers*

- Establishes licensure requirements for ambulatory surgical centers
- Requires GMCB to collect and review certain data from ambulatory surgical centers until January 16, 2026 and to describe its oversight of the centers in the Board's 2021–2026 annual reports
- Specifies that GMCB is not required to collect, review, or report further data on an ambulatory surgical center that was in operation on January 1, 2019 following submission of GMCB's 2023 annual report

# *Act 63 (H.524): An act relating to health insurance and the individual mandate*

- Vermont income tax filers must indicate whether maintained minimum essential coverage (MEC) or were exempt
  - Anyone who indicates they had MEC must provide statement of coverage to Dept. of Taxes upon request
  - Directs DVHA to use information from Dept. of Taxes about who does not have MEC to provide targeted outreach to help them find affordable/appropriate coverage
- Adds consumer protections from ACA to Vermont law:
  - Ban on preexisting condition exclusions
  - Annual limits on cost-sharing
  - Ban on annual/lifetime limits on dollar amount of essential health benefits
  - No cost-sharing for certain preventive services
  - Young adult coverage on parent's plan until 26 years of age
- Allows association health plans operating in 2019 to be renewed if allowed under federal law, but not to enroll new members
  - Prohibits new association plans for plan years 2020 and after
- Prohibits licensed brokers from accepting payment for enrolling Vermonters in arrangements involving sharing of health-related expenses that do not qualify as insurance under Vermont law
- Directs AHS to look at how to make health insurance more affordable, explore imposing higher Medicaid co-pays to provide insurance subsidies, and explore regional, publicly financed universal health care program with other states
  - Report due by Dec. 1, 2019
- Directs AHS to recommend by Dec. 1, 2019 whether insurance market structure should be modified

# *Act 66 (S.40): An act relating to testing and remediation of lead in the drinking water of schools and child care facilities*

- Requires all school districts, supervisory unions, independent schools, and child care providers to test for lead in the drinking water from outlets in each building or facility it owns or controls
- Requires VDH to pay to conduct the testing of samples taken by schools and child care providers
- If testing indicates lead is present in drinking water from an outlet at or above the action level of 4 ppb:
  - the school or child care provider must take the outlet out of service and conduct remediation to eliminate or reduce lead in the drinking water from the outlet;
  - notify parents, guardians, and staff of the remedial action;
  - submit a lead remediation plan to VDH; and
  - notify VDH when the plan is complete
- Requires the State shall pay the actual cost of replacement of outlets that are at or above the action level up to a capped maximum amount per type of drinking water fixture
- Requires VDH to adopt rules to implement the testing program

# *Act 75 (S.55): An act relating to the regulation of toxic substances and hazardous materials*

- Establishes the Interagency Committee on Chemical Management to evaluate chemical inventories in the State, identify potential health risks to human health and the environment from chemical inventories, and propose measures to address risks from chemical inventories
- Amends the Chemicals of High Concern to Children Program to require manufacturers of children's products that contain a chemical of high concern to children to report a product's brand name, product model, and universal product code when fulfilling the Program's notice requirements
- Amends the criteria under which the Commissioner of Health may regulate the sale or labeling of a children's product containing a chemical of high concern to children

## *Act 82 (S.146): An act relating to substance misuse prevention*

- Establishes the Substance Misuse Oversight and Advisory Committee, which is tasked with improving the health outcomes of all Vermonters through a holistic approach to substance misuse prevention that addresses all categories of substances
- Establishes the Manager of Substance Misuse Prevention to staff the Committee and Chief Prevention Officer to coordinate across State government and in collaboration with community partners, policies, programs, and budgets to support and improve the well-being of all Vermonters through prevention efforts

## *Act 87 (H.83): An relating to prohibiting female genital mutilation or cutting*

- Prohibits the act of female genital mutilation or cutting
- Exceptions for:
  - medically necessary procedure performed by a health care professional
  - procedure performed by a health care professional, midwife, or trainee on person in labor or who has just given birth, for medical purposes connected with the labor or birth
- Imposes two- to 10-year term of imprisonment and \$500-20,000 fine for violating the statute

# *Act 91 (H.742): An act relating to Vermont's response to COVID-19 (health/human services provisions)*

- Provides administrative and health care provider flexibility in responding to COVID-19 pandemic
- Allows AHS and GMCB to waive/modify certain regulatory processes and requirements as needed to prioritize direct patient care, allow flexible staffing, preserve provider sustainability
- Directs DFR to consider adopting emergency rules to:
  - expand insurance coverage and reduce out-of-pocket costs for COVID-19 diagnosis, treatment, and prevention
  - modify or suspend deductible requirements for prescription drugs
  - expand access/reimbursement for health care services delivered remotely, including by audio-only telephone
- Permits patients to refill maintenance medications early
- Allows pharmacists to extend prescriptions for maintenance medications and to substitute substantially equivalent prescription drug if prescribed medication unavailable
- Allows recently retired Vermont providers and providers licensed in other states to deliver health care services to Vermonters using telehealth, as part of staff of licensed facility, or under temporary license, and provides OPR/BMP flexibility to waive certain requirements during a state of emergency
- Expands health insurance coverage for telehealth, including teledentistry and services delivered by store-and-forward means and, until January 1, 2026, requiring health insurance plans to reimburse providers same amount for same services whether provided in person or by telemedicine
- Allows DCF Commissioner to use additional funds from FY2020 appropriation for Child Care Financial Assistance Program to help child care programs at risk of closing due to financial hardship

# *Act 107 (H.950) An act relating to allowing remote witnesses for advance directives for a limited time*

- Advance directive executed Feb. 15, 2020–June 15, 2020 deemed valid even if one/both witnesses not physically present when principal signed if principal and remote witnesses were known to each other, remote witnesses were informed about role, and principal included remote witnesses' name/contact information on advance directive
  - Advance directive executed under these circumstances remains valid until June 30, 2021
- Advance directive executed June 15, 2020–June 30, 2021 deemed valid even if one/both witnesses not physically present when principal signed if principal and remote witnesses were known to each other; based on video or telephonic communication with principal, remote witnesses made certain attestations; and principal included remote witnesses' names/contact information/relationship to principal on advance directive
  - Advance directive executed under these circumstances remains valid indefinitely
- Advance directive executed Feb. 15, 2020–June 30, 2021 while principal was being admitted to/resident/patient of nursing home, residential care facility, or hospital deemed valid even if individual who explained nature and effect to principal was not physically present if communicated with principal by video or telephone

## *Act 118 (H.635): An act relating to regulation of long-term care facilities*

- Establishes definition of “insolvent” for purposes of determining whether long-term care facility should have receiver appointed
- Specifies that, in deciding whether to appoint receiver for long-term care facility, court’s determination of whether grounds for receivership have been met must be based on facility’s condition at time complaint requesting appointment of receiver was filed
- Allows DAIL to take immediate enforcement action when necessary to eliminate condition that can reasonably be expected to cause serious mental harm to residents or staff
  - Under prior law, DAIL could only take immediate enforcement action to eliminate condition reasonably expected to cause death/serious physical harm

# *Act 123 (S.128): An act relating to physician assistant licensure*

- Revises physician assistant (PA) licensure statutes, moves profession from supervised model—physician delegates duties to PA who is under physician’s supervision pursuant to delegation agreement—to collaborative practice model—physician, either independently or on behalf of group practice/facility, enters practice agreement with PA
- PAs are responsible for own medical decision making; existence of practice agreement alone does not make participating physician legally liable for PA’s actions or inactions
- PAs are to be considered primary care providers when practicing in specialties for which physicians are considered primary care providers
- Repeals statute requiring physician/clinic/hospital to post notice if uses PAs
- Requires health insurers and Medicaid to reimburse PAs for service if same service would be covered when delivered by physician
- Allows PAs to bill for and receive direct payment for their services
- Directs Department of Health to update BMP rules on PAs by July 1, 2021

# *Act 126 (H.438\*): An act relating to the Board of Medical Practice and the licensure of physicians and podiatrists*

- Updates language/terminology relating to BMP and physician licensure
- Updates qualifications for physician licensure, revises triggers for when a licensee's employer must report unprofessional conduct to BMP
- Modifies provisions relating to BMP's powers and duties and to its complaint, investigation, and hearing processes
- Creates nondisciplinary financial penalty of up to \$250 for violations of statutes and BMP rules of administrative nature
- Requires BMP to post investigation-operations manual on its website by July 1, 2020
- Amends provisions relating to renewal of podiatrist licenses
- Adds BMP to existing description of professional licensing boards entitled to inspect prescription records related to regulated drugs
- Modifies BMP rulemaking requirement regarding maintenance of licensure rules for podiatrists, physicians, and physician assistants

\*Senate Health & Welfare did not take possession of H.438 but reviewed the bill

# *Act 136 (H.965): An act relating to health care- and human services-related appropriations from the Coronavirus Relief Fund*

Appropriates \$326,850,000 (total) from Coronavirus Relief Fund (CRF) for health care- and human services-related expenses incurred as result of COVID-19 pandemic:

- Hazard pay program (\$28 million); report due by Jan. 15, 2021
- Health Care Provider Stabilization Grant Program (\$275 million); reports due by Aug. 1, 2020 and Oct. 1, 2020 and Jan. 15, 2021
- COVID-19-related health disparities (ELC grant + \$500,000); report due by Aug. 18, 2020
- Suicide prevention (potential SAMHSA grant anticipated but not received)
- Pathways Vermont peer warm line and outreach (\$200,000)
- Food insecurity (\$4.7 million)
- Summer meal for schoolchildren (\$12 million from prior CRF appropriation); report due by Aug. 18, 2020

## *Act 136 (H.965) (continued)*

### Additional CRF appropriations/provisions:

- Meals for older Vermonters and other vulnerable populations; report due by Aug. 18, 2020
- Restart grants for child care providers, summer camps, afterschool programs; parent child center COVID-19 costs; Children's Integrated Services (\$12 million); report due by Aug. 18, 2020
- Grants to vulnerable populations (\$2 million)
- Supports for new Americans, refugees, and immigrants (\$700,000)
- COVID-19 public health precautions on ANR land (\$3 million)
- Legislative Branch COVID-19 mitigation, including space and health and safety needs assessment and purchase of information technology equipment (\$750,000); report due by Aug. 19, 2020
- Dept. of Health assistance with reopening independent colleges

# *Act 140 (H.960): An act relating to miscellaneous health care provisions*

- Requires GMCB budget review for psychiatric care hospitals not operated by State; gradual increase in scope with full review by hospital fiscal year 2024
- Requires limited GMCB budget review for designated and specialized service agencies
- Creates 23-member Mental Health Integration Council to help ensure all sectors of health care system are involved in integrating mental health in health care system
  - Meets every other month from Oct. 1, 2020 to Jan. 1, 2023
  - Progress report due Dec. 15, 2021; final report due Jan. 15, 2023
- Sets quality oversight measures as conditions of further State funding for Brattleboro Retreat and requires certain actions of DMH and Retreat to support proactive, continuous quality and practice improvement and ensure timely access to high-quality care
  - DMH report on patient experiences and quality of care at Retreat due Feb. 1, 2021
  - AHS and Retreat reports on improving communications and relations with Retreat employees due Oct. 1, 2020 (interim report) and Feb. 1, 2021 (final report)
- Expands VPharm coverage for Medicare beneficiaries 150-225% FPL, effective on later of Jan. 1, 2022 or receipt of federal approval

# *Act 140 (H.960) (continued)*

- Requires health insurers to review their prior authorization requirements and eliminate as appropriate at least annually, with attestation of review due to DFR/GMCCB annually starting Sept. 15, 2021
- DFR report due Jan. 15, 2022 on ways to increase use of tools in electronic health records to complete prior authorization requests for imaging and pharmacy services
- GMCCB evaluation due Jan. 15, 2022 on opportunities for and obstacles to aligning prior authorization requirements under All-Payer ACO model
- Requires health insurers with >1,000 Vermont lives to start a “gold carding” pilot program for prior authorizations by Jan. 15, 2022; report due Jan. 15, 2023
- DVHA report on Medicaid’s clinical prior authorization requirements due Sept. 30, 2021
- Extends/expands certain Act 91 provisions allowing regulatory flexibility during/after COVID-19 pandemic
- Requires DFR working group on coverage for audio-only telephone services after COVID-19 pandemic; report due Dec. 1, 2020
- Directs VPQHC, Dept. of Public Service, and organizations representing health care providers and consumers to identify areas of Vermont with particular health care-related broadband needs and opportunities to use federal/other funds to increase access to clinically appropriate telehealth services

# *Act 142 (H.572): An act relating to the Maternal Mortality Review Panel*

- Makes a variety of amendments to the Maternal Mortality Review Panel, including:
  - amending the Panel’s charge to include consideration of “health disparities and social determinants of health, including race and ethnicity in maternal death reviews”;
  - enabling the Commissioner of Health to make one-year appointments to the Panel if the expertise of a licensed clinical provider specializing in substance use disorder, an expert in pharmaceutical management of mental health, or a social worker is necessary;
  - specifying Panel review cannot begin until the conclusion of any related criminal prosecution;
  - authorizing entry into reciprocity agreements with other states’ panels; and
  - expanding records to which the Panel has access

# *Act 155 (H.607): An act relating to increasing the supply of nurses and primary care providers in Vermont*

- Amends requirements for health care workforce development strategic plan; requires Director of Health Care Reform to maintain plan in consultation with advisory group
  - Director must update plan; submit draft to GMCB by July 1, 2021 for review/approval; to Legislature by Aug. 15, 2021
- Directs Dept. of Health, in consultation with AHEC at University of Vermont College of Medicine, to establish primary care physician scholarship program
  - Scholarships cover medical school tuition for up to five 3<sup>rd</sup>-year and up to five 4<sup>th</sup>-year medical students who commit to practicing primary care in rural area of Vermont or in Vermont FQHC's service area, in setting/practice not owned by academic medical center
  - 2-year full-time/4-year half-time service obligation for each academic year of tuition covered
  - Appropriates \$608,419 in Global Commitment investment funds (State share is \$277,500) for FY2021
  - Directs AHS Secretary to identify funding sources for State match for future fiscal years; report due March 1, 2021
  - Primary care physician scholarship program is repealed on July 1, 2022
- Appropriates \$1,035,957 in Global Commitment investment funds (State share is \$472,500) for FY2021 for additional scholarships for nursing students under existing program administered by VSAC
  - First priority – students pursuing a practical nursing certificate; second priority – students pursuing associate's degree in nursing to be registered nurse; third priority – students pursuing bachelor of science degree in nursing
  - Applicants must have financial need, 2.5+ GPA, and agree to work as nurse in Vermont for at least one year following licensure for each year of scholarship awarded
  - First preference is for students attending accredited postsecondary educational institution in Vermont
  - Directs Director of Health Care Reform to identify primary causes of Vermont's nursing workforce shortage and propose solutions to address them; report due March 1, 2021

# *Act 156 (H.611): An act relating to the Older Vermonters Act*

- Creates new statutory chapter entitled the “Older Vermonters Act”
  - Includes principles for comprehensive and coordinated system of services and supports for older Vermonters
  - Addresses roles and duties of DAIL and area agencies on aging (AAAs)
  - Requires DAIL to adopt State Plan on Aging at least once every four years
- Requires DAIL to report annually on its adult protective services activities
- Requires Secretary of Administration, in collaboration with Commissioner of DAIL and Commissioner of Health, to propose process for developing Vermont Action Plan for Aging Well to be implemented across State and local government, private sector, and philanthropies
  - Vermont Action Plan for Aging Well would help promote aging with health, choice, and dignity in order to establish and maintain an age-friendly State for all Vermonters; would also include review of Medicaid rates for home- and community-based service providers
  - Secretary must engage with interested stakeholders; proposed process due May 1, 2021
- Establishes 16-member Self-Neglect Working Group to consider issues relating to adults who, due to physical or mental impairment or diminished capacity, are unable to perform essential self-care tasks
  - Working Group’s recommendations due July 1, 2022

## *Act 157 (H.663): An act relating to expanding access to contraceptives*

- Stated purpose of act is to improve compliance with existing contraceptive laws and further expand access to contraceptives
- Requires each school district to make condoms available for free to all students in its secondary schools
- Directs Dept. of Health, in partnership with health care providers and health insurers, to communicate to adolescents and others of reproductive age information about contraceptive access and coverage
- Agency of Education and Dept. of Health report due April 15, 2021 on their continued efforts to support schools and school districts in providing comprehensive health education, including sexual health and safety, to Vermont students

# *Act 159 (H.795): An act relating to increasing hospital price transparency, hospital sustainability planning, provider sustainability and reimbursements, and regulators' access to information*

- Requires GMCB to develop and maintain public, interactive, Internet-based price transparency dashboard to enable consumers to compare prices for certain health care services across Vermont
  - Report on progress in developing/implementing dashboard due Feb. 1, 2021
  - Dashboard demonstration and recommendations for future expansions of dashboard due Feb. 1, 2022
- Directs GMCB to consider ways to increase financial sustainability of Vermont hospitals to achieve population-based health improvements while maintaining community access to services
  - First update due Nov. 15, 2020; second update due April 1, 2021; final recommendations due Sept. 1, 2021 (possible extension to Nov. 15, 2021)
- Directs GMCB to identify processes for improving provider sustainability and increasing equity in reimbursement amounts among providers
  - Update due Nov. 15, 2020; identification of options with most potential due March 15, 2021
- Requires health insurers to provide to GMCB, upon GMCB request in connection with rate review, detailed information about payments to specific providers; proprietary information to be kept confidential
- Specifies that individually identifying information submitted to GMCB as part of hospital budget review must be kept confidential
- Allows GMCB to examine and discuss confidential information outside public hearing or meeting
- Clarifies DFR's emergency rulemaking authority for COVID-19 diagnosis, treatment, and prevention
- Delays date for first meeting of Mental Health Integration Council from Oct. 1, 2020 to Jan. 15, 2021

*Act 161 (H.967): An act relating to the provision of child care at family child care homes during remote learning days*

- Expands the hours that a family child care home may care for school-age children from four hours a day to full time when the school-age children's schools have provided the option for or have scheduled a student for full-or part-time remote instruction occurring electronically off school premises (effective between Sept. 8, 2020 and Sept. 1, 2021)

*Act 177 (H.967): An act relating to transient occupancy for health care treatment and recovery*

- Enables individuals placed in a hotel, a motel, or lodgings in connection with medical treatment or recovery services that are paid for by a hospital or designated or specialized service agency to remain housed in the same setting without establishing tenancy

# *Act 154 (H.969): Certain health care- and human services-related budget provisions*

- Global Commitment waiver – Sec. E.301.3 (amending FY20 budget adjustment act) authorizes AHS Secretary to seek from CMS a no-change extension of Vermont's Global Commitment to Health Medicaid Sec. 1115 demonstration for period Jan. 1, 2022-Dec. 31, 2023; if CMS does not approve, then authorization to seek extension for period Jan. 1, 2022 through Dec. 31, 2026 or earlier date
- Medicaid preferred drug list – Sec. E.307 allows DVHA to establish preferred drug list for HIV- and AIDS-related medications while allow patients to use drugs not on the list if clinically appropriate
- Insulin – Starting in 2022, Sec. E.307.1 requires health insurance plans to limit patients' out-of-pocket exposure for prescription insulin medications to a total of \$100 per 30-day supply of all medications
- Mental Health Crisis Services & Data Collection: Sec. E.314.2 directs DMH, in collaboration with the Director of Racial Equity, the Mental Health Crisis Response Commission, and DPS, to explore strategies for collecting data related to persons accessing emergency services related to a mental health crisis (Report due Sept. 1, 2021)

# *Bills passed out of committee but not enacted*

- H.531: An act relating to Vermont's child care and early learning system

*(Portions of this bill were incorporated into the budget, 2019 Acts and Resolves No. 72):*

- Sec. E. 318: Enables families seeking employment to participate in CCFAP for up to 3 months (or longer w/ Commissioner approval) versus one month
- Sec. E.318.1: FY20 CCFAP adjustments to sliding fee scale and market rates (preschool/school age: 2014 rates; infants/toddlers: 2017 rates)
- Sec. E.318.3: \$1,000,000 for child care stabilization grants, including to: (1) support programs that maintain the enrollment of children receiving support through CCFAP at a level of at least 50 percent of total enrollment; and (2) expand infant and toddler child care capacity
- Sec. E.318.4: \$100,000 for developing/implementing a modernization plan for the Bright Futures Information System
- Sec. E.318.5: \$300,000 for grants to incentivize child care professionals, incl. hiring or retention bonuses and tuition assistance for continuing education
- Sec. 318.6: \$300,000 for implementation of the Council for Professional Regulation's Child Development Associate Credential curriculum in technical centers

# *Bills passed out of committee but not enacted*

- H.249: An act relating to the Reach Up and Reach Ahead pilot program
- S.42: An act relating to requiring at least one member of the Green Mountain Care Board to be a health care professional
- S.65: An act relating to banning baby bumper pads
- S.94: An act relating to expanding Medicaid beneficiaries' access to dental care and establishing the VDent dental assistance program (similar language included in FY20 budget act)
- S.125: An act relating to Vermont's adoption of the interstate Nurse Licensure Compact
- S.141: An act relating to nutritional requirements for children's meals
- S.181: An act relating to access to employee restrooms for individuals living with an inflammatory bowel disease
- S.185: An act relating to adopting a climate change response plan and regional planning commission involvement in identifying health care-related needs

## *Bills passed out of committee but not enacted*

- S.197: An act relating to prohibiting discrimination based on genetic information
- S.218: An act relating to the Department of Mental Health's Ten-Year Plan
- S.243: An act relating to establishing the Emergency Service Provider Wellness Commission
- S.252: An act relating to stem cell therapies not approved by the U.S. Food and Drug Administration
- S.288: An act relating to banning flavored tobacco products and e-liquids
- S.295: An act relating to restrictions on perfluoroalkyl and polyfluoroalkyl substances and other chemicals of concern in consumer products
- S.297: An act relating to the Agency of Health Care Administration
- S.302: An act relating to establishing a mental health mobile response unit pilot program in the city of Rutland